

# MICHAEL MCDOWELL

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## PRESENT OCCUPATION

Arbitrator and Mediator

## PROFESSIONAL AFFILIATION

Member, National Academy of Arbitrators

## EDUCATION

1970 Universtiy of Dayton BS Bus. Adm.

1973 University of Pittsburgh School of Law Juris Doctor

## ARBITRATION EXPERIENCE

2003-present - Mr. McDowell is a full-time arbitrator and mediator based in Pittsburgh, PA with over thirty years of experience in complex litigation and alternative dispute resolution. Part time arbitrator, 1984-2003; Previously served as Deputy General Counsel/Director, Human Resources/Attorney, Allegheny Energy, Inc.; Senior Counsel/Counsel, Dravo Corp.; Attorney, Plowman and Spiegel; Attorney, Hirsch, Weise & Tillman; Assistant United States Attorney, Middle District of Pennsylvania.

## INDUSTRIES

Building products; cement; chemicals; coal; construction; education; electrical equipment/appliance; foundry; furniture; glass/pottery; health care; hospital/nursing home; iron; lumber; machinery; maritime; mining; nuclear energy; office workers/clerical; organizations; petroleum/petrochemicals; plastics; plumbing; postal; prison guard; real estate; refrigeration/HVAC; shipbuilding/dry-dock; steel; stone/quarry; textile; transportation; trucking and storage; utilities; warehousing.

## **ISSUES**

Affirmative Action; Absenteeism; Arbitrability; Bargaining Unit Work; Conduct (Off-Duty)/Personal; Demotion; Discipline (non-discharge); Discipline (Discharge); Age Discrimination; Disability Discrimination; Race Discrimination; Sex Discrimination; Religion Discrimination; National Origin Discrimination; Drug/Alcohol Offenses; Bonus; Holidays; Insurance; Leave; Vacation; Grievance Mediation; Health/Hospitalization; Hiring Practices; Job Performance; Job Posting/Bidding; Jurisdictional Dispute; Layoffs/Bumping/Recall; Management Rights; Official Time; Past Practices; Pension and Welfare Plans; Pension Claim (Federal Statute); Promotion; Retirement; Safety/Health Conditions; Seniority; Sexual Harassment; Strikes, Lockouts, Work Stoppages, Slowdowns; Subcontracting/Contracting Out; Tenure/Reappointment; Union Security; Cost-of-living Pay; Holiday Pay; Incentive Pay; Job Classification, Call in Pay, Merit Pay, Overtime Pay, Severance Pay, Vacation Pay, Work Hrs/Scheds/Assignmts, Working Conditions/Work Orders, Violence or Threats.

## **PERMANENT PANELS**

United States Postal Service and American Postal Workers Union, AFL-CIO (Cincinnati and Kentuckiana Regular Panels);

UMWA, District 2 and Bituminous Coal Operators- Association (BCOA); Community College of Allegheny County and SEIU Local 668; City of Norton, OH and Ohio Council 8, AFSCME, AFL-CIO and Local 265; Ormet Aluminum Corporation and USW, District 1 (Expedited Panel).

## **ARBITRATION ROSTER(S)**

Federal Mediation and Conciliation Service (labor arbitrator);

Pennsylvania Bureau of Mediation (labor arbitrator);

American Arbitration Association (labor, commercial, employment, employee benefits, and energy arbitrator);

Pennsylvania Labor Relations Board (fact finder and labor arbitrator);

National Mediation Board (labor arbitrator);

New Jersey State Board of Mediation (labor arbitrator);

New York State Employment Relations Board (labor arbitrator);

Government of the Virgin Islands Public Employees Relations Board (labor arbitrator);

Ohio State Employment Relations Board (fact finder);

## **PUBLISHED CASES**

Pa. Transformer and USW, Decision and Award Issued April 10, 2007, 35 LAIS 140;  
CCI Carbon LLC and ICWUC, Decision and Award issued February 26, 2007, 35 LAIS 50;  
Camalloy, Inc. and Teamsters Local No. 586, Decision and Award issued October 2, 2006, 07-1 ARB ¶3726;  
District 1199/SEIU and Aramark at Western Psychiatric Institute and Clinic, Decision and Award issued July 4, 2006, 06-2 ARB ¶3644, 34 LAIS 274;  
HamarVillage and SEIU, District 1199P, Decision and Award Issued May 1, 2006, 34 LAIS 190;  
Teamsters Local 205 and Peters Township, PA, Decision and Award issued April 7, 2006, 06-1 ARB (CCH) ¶ 3557;  
Millcreek Township Police Association and Township of Millcreek, Decision and Award issued March 21, 2006. 06-1 ARB (CCH); ¶3529, 34 LAIS 96.  
Service Employees International Union, Local 668, Pennsylvania Social Services Union, AFL-CIO-CLC and County of Westmoreland, Pennsylvania, Decision and Award issued December 26, 2005. 06-1 ARB (CCH) ¶3501, 34 LAIS 1;  
Fraternal Order of Police, Lodge No. 21 and City of New Castle, Decision and Award issued October 13, 2005, 06-1 ARB (CCH) ¶3376; 33 LAIS 402;  
General Teamsters, Chauffeurs and Helpers Local Union No. 249 and Arrow Concrete Co., Decision and Award Issued November 7, 2005. 33 LAIS 497;  
Elizabeth Forward Education Association and Elizabeth Forward School District, Decision and Award Issued August 22, 2005. 06-1 ARB (CCH) ¶3406; 33LAIS 357;

## **SIGNIFICANT PUBLICATIONS**

Co-author, "Dealing with Non-clients," Chapter 8, Pennsylvania Ethics Handbook, Pennsylvania Bar Association, 1998, revised April 2000;  
Author, "Sale of Business Exception to Multi-Employer Pension Plan Liability," Pittsburgh Legal Journal, Allegheny County Bar Association, December 1982.

## **PER DIEM FEE**

The fee is \$1,500.00 per day, plus expenses, for each hearing day, and for administration, evidence and transcript review, research and preparation of the award. A hearing day is any portion of a day up to eight hours. In addition, fee for hearing days over eight hours for one day includes \$175.00 for each hour or part of an hour over eight hours. Time for administration, evidence and transcript review, research and award preparation is prorated. Interim billing and/or prepayment may be required.

## **DOCKET FEE**

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## **CANCEL FEE**

\$1,500.

## **GRIEVANCE ARBITRATION**

\$1,500.00 per diem

## **CANCELLATION POLICY**

If the hearing is postponed, rescheduled or cancelled with notice of less than 30 days, the per diem fee of \$1,500.00 for each day of hearing and travel scheduled will be charged.

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## **CANCELLATION POLICY**

### **INT ARBT, FACT FND & LABOR MED**

\$1,800.00 per diem.

### **TRAVEL TIME**

\$1,500.00 per travel day

### **EXPENSES**

The actual cost of reasonable expenses, including airfare, car rental, food, and lodging will be charged.